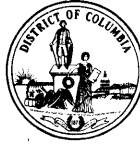


GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12492 of Stephen Shapiro, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the requirement that a single family dwelling and flat have a side yard on each freestanding side when they do not share a common division wall with another building (Sub-section 3305.4) to permit the erection of a row dwelling and a flat in the R-4 District at the premises 205 - 18th Street and rear of 205 - 18th Street, S. E., (Square 1098, Lot 160).

HEARING DATE: October 19, 1977
DECISION DATE: November 2, 1977

FINDINGS OF FACT:

1. The subject lot is located at 205 - 18th Street, S. E. and is in an R-4 District.
2. The subject lot is approximately 21 feet by 200 feet and is unimproved.
3. The applicant seeks permission to construct one flat and a garage fronting on 18th Street, N. W. and a single family residence to the rear of the flat, all on the said lot.
4. Sub-section 3305.4 of the Regulations states that when a one family dwelling, flat or multiple dwelling is erected which does not share a common division wall with an existing building or a building being constructed together with the main building then it shall have a side yard on each resulting free standing
5. In an R-4 District the side yard requirement is eight feet.
6. The subject lot is surrounded on three sides by public alleys and fronts on 18th Street, N. W. It cannot share a common division wall with another building.
7. In the proposed construction, no side yards are provided. The applicant seeks a variance from the side-yard requirements of eight feet on each side.

8. Both proposed structures have front and rear yards which meet the requirement of the Regulations.

9. The Capitol Hill Restoration Society recommended that the application be approved because of the insurmountable difficulty in developing this piece of property without a variance of some type.

10. Advisory Neighborhood Commission opposed the application on the grounds that no hardship was present due to the unusually wide lot.

CONCLUSIONS OF LAW:

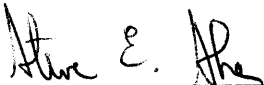
The applicant seeks an area variance, the granting of which requires a showing of a practical difficulty inherent to the property itself. The Board concludes that although the lot is twenty one feet wide it would be physically impossible to construct housing on the lot if strict compliance with the side yard requirements of eight feet was enforced, since the house would then be only five feet wide. The Board concludes that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and map. Accordingly, it is ORDERED that the application is GRANTED.

VOTE:

4-0 (Chloethiel Woodard Smith, William F. McIntosh, Walter B. Lewis and Leonard L. McCants to grant, Charles R. Norris not present, not voting).

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED By:


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 21 NOV 1977

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.